

Special Session

Agenda Item #	3 and 4
Meeting Date	April 18, 2005
Prepared By	Barbara B. Matthews City Manager
Approved By	

Discussion Item	Resolutions authorizing sale of property located at 8425 Piney Branch Road and at 8435 Piney Branch Road
Background	<p>In 2002, the City purchased properties located at 8425 and 8435 Piney Branch Road for the purpose of constructing a parking garage. It was subsequently determined that the plans for developing the properties in this manner would no longer be pursued and that the properties would be sold.</p> <p>The FY05 budget included revenues to be generated from the sale of the properties, with the proceeds designated for the Community Center Fund. On March 28, 2005, the City Council discussed various options by which publicly owned properties could be sold.</p> <p>In light of the City Council's discussion on March 28, 2005, staff proposes the following:</p> <ul style="list-style-type: none"> • That the residential property - 8425 Piney Branch Road - be sold through a competitive sealed bid process with the condition that the property be used for residential purposes only. Upon sale of the property to the highest bidder, language restricting the use of the property would be included in the deed. • That a Request for Proposals (RFP) be solicited for the sale and redevelopment of the commercial property – 8435 Piney Branch Road. Under this process, the property would be sold to the bidder with the most responsive development proposal with less weight given to the price. <p>Prior to the sale of City-owned property, the City Council must adopt a resolution declaring that the property is not needed for public use. The resolution must identify the specific property to be sold and specify the proposed method of sale. Upon adoption of the required resolutions and development of the recommended RFP for the property located at 8435 Piney Branch Road, a notice of sale will be published and a pre-bid inspection of the properties will be scheduled.</p>
Policy	Section 401(b) 41 of the Municipal Charter of the City of Takoma Park provides that the legislative powers of the Council shall include the power “to convey any real or leasehold property when no longer needed for public use, after having given at least twenty days public notice of the proposed conveyance....”
Fiscal Impact	<p>Cost of public notice announcing sale of properties</p> <p>Cost for preparation of residential property for pre-bid inspection</p>

Attachments	Resolution authorizing sale of property located at 8425 Piney Branch Road Resolution authorizing sale of property located at 8435 Piney Branch Road
Recommendation	Staff recommends that the City Council adopt the attached resolutions, authorizing the sale of City-owned property located at 8425 Piney Branch Road and at 8435 Piney Branch Road.
Special Consideration	

RESOLUTION #2005- ____

Resolution Declaring that the Property at 8425 Piney Branch Road is Not Needed by the City For Public Use and Authorizing the Sale of the Property and Notice of the Sale

- WHEREAS, the property at 8425 Piney Branch Road in the City of Takoma Park is improved with a vacant single-family structure; and,
- WHEREAS, the City of Takoma Park acquired title to the property at 8425 Piney Branch Road from Carlos Reyes et al by Deed on September 25, 2002, and recorded in Liber 21863, Folio 251; and,
- WHEREAS, it was determined that previous plans for developing the property should not be pursued; and,
- WHEREAS, the property is not needed by the City of Takoma Park for the public use; and,
- WHEREAS, sale of the property was anticipated by the City Council in the adoption of the FY05 budget (Ordinance #2004-15) and the proceeds of such sale were designated for the Community Center Fund; and,
- WHEREAS, the City Council believes it is in the public's best interest that use of the property remain residential in nature; and,
- WHEREAS, the deed of sale will include language providing for strictly residential use of the property; and,
- WHEREAS, the City Council believes it is in the public's best interest that the property be sold through a competitive sealed bid process.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THAT the property at 8425 Piney Branch Road is not needed by the City for public use and that the Council authorizes the sale of the property.

BE IT FURTHER RESOLVED THAT the City shall give not less than twenty (20) days public notice that the property at 8425 Piney Branch Road is for sale and shall seek competitive sealed bids for the purchase of the property.

BE IT FURTHER RESOLVED THAT, in accordance with Section 401(b) 41 of the Municipal Charter of the City of Takoma Park, public notice of this proposed conveyance of the property at 8425 Piney Branch Road shall be published in a newspaper of general circulation at least 20 days before the sale of the property.

BE IT FURTHER RESOLVED THAT the City Manager is instructed to issue an invitation for bids for the purchase of the property at 8425 Piney Branch Road, specifying the terms of sale, to give public notice of the invitation for bids, and to set procedures for the City to open and evaluate the bids.

BE IT FURTHER RESOLVED THAT a contract for the sale and purchase of the property at 8425 Piney Branch Road shall be awarded by the City Council with reasonable promptness to the most responsible and responsive bidder whose bid meets the requirements and criteria set forth in the invitation for bids; provided, however, that the invitation for bids may be canceled, or any or all bids may be rejected, when it is in the best interests of the City to do so.

Approved this ____ day of _____ 2005.

RESOLUTION #2005- ____

Resolution Declaring that the Property at 8435 Piney Branch Road is Not Needed by the City For Public Use and Authorizing the Sale of the Property and Notice of the Sale

- WHEREAS, the property at 8435 Piney Branch Road in the City of Takoma Park is improved with a vacant commercial structure; and,
- WHEREAS, the City of Takoma Park acquired title to the property at 8435 Piney Branch Road from Carlos Reyes et al by Deed on September 25, 2002, and recorded in Liber 21863, Folio 251; and,
- WHEREAS, it was determined that previous plans for developing the property should not be pursued; and,
- WHEREAS, the property is not needed by the City of Takoma Park for the public use; and,
- WHEREAS, sale of the property was anticipated by the City Council in the adoption of the FY05 budget (Ordinance #2004-15) and the proceeds of such sale were designated for the Community Center Fund; and,
- WHEREAS, the City Council believes it is in the public's best interest that the property be sold by the issuance of a Request for Proposal, whereby the property will be sold to the bidder with the most responsive development proposal with less weight given to the price.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF TAKOMA PARK, MARYLAND, THAT the property at 8435 Piney Branch Road is not needed by the City for public use and that the Council authorizes the sale of the property.

BE IT FURTHER RESOLVED THAT the City shall issue a Request for Proposals for the development/redevelopment of the property and shall give not less than twenty (20) days public notice that the property at 8425 Piney Branch Road is for sale to the most bidder as determined by the City.

BE IT FURTHER RESOLVED THAT, in accordance with Section 401(b) 41 of the Municipal Charter of the City of Takoma Park, public notice of this proposed conveyance of the property at 8435 Piney Branch Road shall be published in a newspaper of general circulation at least 20 days before the sale of the property.

BE IT FURTHER RESOLVED THAT the City Manager is instructed to issue a Request for Proposals for the development/redevelopment of the property at 8435 Piney Branch Road, specifying the terms of sale, to give public notice of the invitation for proposals, and to set procedures for the City to open and evaluate the proposals.

BE IT FURTHER RESOLVED THAT a contract for the sale and purchase of the property at 8435 Piney Branch Road shall be awarded by the City Council with reasonable promptness to the most responsible and responsive bidder whose proposal meets the requirements and criteria set forth in the Request for Proposals; provided, however, that the invitation for proposals may be canceled, or any or all proposals may be rejected, when it is in the best interests of the City to do so.

Approved this ____ day of _____ 2005.